

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **3:22-CR-245**
: **v.** : **(Judge Mannion)**
: **JAMES CHARLES MEININGER, JR.** : **(Electronically Filed)**

MOTION TO CONTINUE PRETRIAL CONFERENCE AND TRIAL

AND NOW comes the Defendant, James Charles Meininger, Jr., by his attorney, Christopher Opiel, CJA appointed counsel, and files the following Motion to Continue Pretrial Conference and Trial for at least sixty (60) days. In support thereof, it is averred as follows:

1. On June 28, 2022, James Charles Meininger, Jr. was charged in a three (3) count Indictment with three (3) separate counts of mailing threatening communications in violation of 18 U.S.C. § 876(c). (Doc. 1).
2. On December 21, 2022, Mr. Meininger entered a plea of “not guilty” to the Indictment. (Doc. 16).
3. On January 11, 2024, Mr. Meininger filed a Notice of Insanity Defense and Expert Evidence of Mental Condition to the docket. (Doc. 41).
4. On January 30, 2024, the Government filed a Motion for a Pretrial Psychiatric or Psychological Examination. (Doc. 42).

5. On January 30, 2024, an Order was entered granting the Government's Motion for a Pretrial Psychiatric or Psychological Examination. (Doc. 43).

6. On July 10, 2024, Undersigned Counsel received the Criminal Responsibility Evaluation report prepared pursuant to the Government's request. (Doc. 48).

7. The Criminal Responsibility Evaluation includes information pertaining to recorded prison calls from the time of the alleged offense that Mr. Meininger's expert did not yet have an opportunity to review.

8. Currently, a Final Pretrial Conference is scheduled for August 15, 2024, and Jury Selection and Trial to occur on August 26, 2024. (Doc. 47).

9. Therefore, the Defendant respectfully requests that the final pretrial conference and trial be continued in this case for at least sixty (60) days so that Mr. Meininger's expert can review the prison calls and draft an addendum to his Forensic Psychology Evaluation.

10. It is respectfully submitted that failure to grant the extension would likely result in a miscarriage of justice and deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §§ 3161(h)(7)(A) and (B)(i) and (iv).

11. Undersigned Counsel has discussed this motion with AUSA Jenny P. Roberts, and AUSA Roberts indicated that the Government has no objection to this continuance.

WHEREFORE, the Defendant, James Charles Meininger, Jr., respectfully requests that this Honorable Court grant the within motion and continue the Final Pretrial Conference and Trial.

Respectfully submitted,

Date: July 16, 2024

/s/ Christopher Opiel

Christopher Opiel, Esq.

CJA Appointed Counsel

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CERTIFICATE OF SERVICE

I, Christopher Opiel, CJA appointed counsel, do hereby certify that this document, the foregoing **Motion to Continue Pretrial Conference and Trial**, filed electronically through the ECF system will be sent to the registered Participants as identified on the Notice of Electronic Filing, including the following:

Jenny P. Roberts, Esquire
Assistant United States Attorney

Date: July 16, 2024

/s/ Christopher Opiel

Christopher Opiel, Esq.
CJA Appointed Counsel